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CASE MP/3-21927/A/AC 536

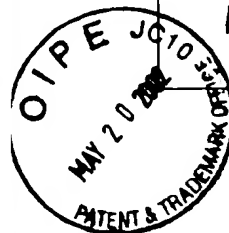
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

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Signature

5/8/02
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit:

MICHAEL GERARD GALLAGHER ET AL

Examiner:

APPLICATION NO: 09/866,967

FILED: MAY 29, 2001

FOR: TREATMENT OF MINERAL MATERIALS

Assistant Commissioner for Patents

BOX DAC

Washington, D.C. 20231

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OFFICE OF PETITIONS

COMMUNICATON

Dear Sir:

This Communication is in response to a Decision, dated February 4, 2002, mailed from the United States Patent and Trademark Office (Paper No. 5). The Decision set a shortened statutory period for response to expire on April 4, 2002. This Amendment is being filed within two (2) month(s) of the shortened statutory period for response.

A petition for a two (2) month extension of time is enclosed herewith. Per the petition, Applicants invoke the benefit of 37 C.F.R. 1.136 to secure a two (2) month extension up to and including June 4, 2002.

The Commissioner is authorized to charge any fee due, or credit any overcharge, as a result of

Remarks

The Decision refused Applicant's Petition Under 37 CFR 1.47(a) and provided for a two-month period to correct the listed deficiencies and/or to submit a declaration executed by the non-signing inventor. One of the deficiencies noted in the Decision was an ambiguity as to the citizenship of the non-signing inventor. An amended Declaration has been circulated to all inventors. All inventors have signed the declaration. Applicants submit that the instant application is now in condition for examination on the merits.

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Encl.

Respectfully submitted,

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